

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re : Reissue Application of Ping-Cheuk Wong

Serial No. : unassigned Examiner: unassigned

Filed : July 25, 2001 Group Art Unit: unassigned

For : ASSEMBLING STRUCTURE FOR ASSEMBLING A FIT-ON
SPECTACLE FRAME WITH AN ORIGINAL SPECTACLE
FRAME

Patent No. : 5,940,162

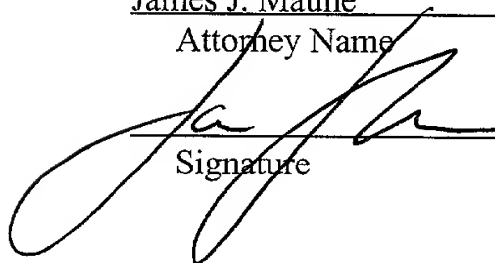
Granted : August 17, 1999

REISSUE DECLARATION AND POWER OF ATTORNEY

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope bearing Express Mail Label No.:EK339854506US addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231

July 25, 2001
Date of Deposit

James J. Maune
Attorney Name


Signature

26,946
PTO Registration No.

July 25, 2001
Date of Signature

EXPRESS MAIL NUMBER:EK339854506US
BOX REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Ping-Cheuk Wong, having a residence of 10th Floor, Apartment F, Block 35, Section 3, Laikong City, Kowloon, Hong Kong Special Administrative Region of the People's Republic of China and being a citizen of the Hong Kong Special Administrative Region of the People's Republic of China, hereby declare under penalty of perjury as follows:

1. I am the sole inventor of the invention described and claimed in U.S. Patent No. 5,940,162 (herein the '162 Patent). I make this Declaration in support of my Application for Reissue of the '162 Patent, and I believe that I am the original and first inventor of the subject matter which is described and claimed in the '162 Patent as well as the subject matter claimed in the attached Application for Reissue thereof.

2. I have not assigned any rights to the '162 Patent.

3. I have reviewed and understand the contents of the specification and the claims of the '162 Patent, including new claims 3-21 presented herewith in the Preliminary Amendment of the Application for Reissue of the '162 Patent.

4. I acknowledge the duty to disclose to the Patent Office all information known to us to be material to patentability as defined in 37 C.F.R. § 1.56.

5. I believe the '162 Patent to be wholly or partly inoperative or invalid, by reason of my inadvertently (and without deceptive intent or intent to disclaim) claiming less than I had a right to claim in the patent.

6. One of the errors sought to be corrected by the present Application for Reissue of the '162 Patent concerns the fact that Claim 1, the broadest claim, directed to "an assembling structure for assembling a fit-on spectacle frame with an original spectacle frame" recites, *inter alia*, two sockets formed on sides of a bridge of the original spectacle frame and two sockets formed on sides of a bridge of the fit-on spectacle frame, a magnet received in each of the sockets, and a locating hole on the bridge of the original spectacles and a locating pin on the bridge of the fit-on spectacles. These limitations, either alone or in combination, unduly limit the protection to which I

am entitled because the disclosure of the specification covers and enablingly discloses both this originally-claimed configuration of the locating hole and pin as well as an inverse configuration and multiple other variants. Furthermore, although I inserted the limitation of a locating hole and pin (using the specific exemplary configuration thereof as described above) into the claim during prosecution to overcome prior art, the inverse configuration and variations thereof would also overcome the prior art, and such configurations or variations were never implicitly or explicitly disclaimed. Finally, the specification in no way requires that the locating hole and pin be a separate structure from the magnets.

7. All errors which are being corrected in the present Application for Reissue of the '162 Patent up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicant.

As sole named inventor, I hereby appoint all attorneys and agents of Customer Number 21003 of the firm of BAKER BOTTS L.L.P., with offices at 30 Rockefeller Plaza, New York, New York 10112, as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to:

BAKER BOTTS L.L.P.
30 ROCKEFELLER PLAZA, 44th FLOOR
NEW YORK, NEW YORK 10112

Direct telephone calls to:
JAMES J. MAUNE (Reg. No. 26,946)
JEFFREY D. SULLIVAN (Reg. No. 43,170)
Telephone: (212) 408-2500
Facsimile: (212) 705-5020

I further declare that the foregoing statements made of my personal knowledge are true, and that statements made upon information and belief are believed to be true, and that all such statements are made with the knowledge that willful false statements or the like are punishable by fine or imprisonment under Section 1001 of Title 18 of United States Code and may jeopardize the validity of this application or any patent issuing thereon.

Dated

Ping-Cheuk Wong

Dated

Witness Name/Title

Dated

Witness Name/Title

-4-

RE34509 067735.0102
PATENT

I further declare that the foregoing statements made of my personal knowledge are true, and that statements made upon information and belief be true, and that all such statements are made with the knowledge that willful false statements or the like are punishable by fine or imprisonment under Section 1001 of Title 18 of United States Code and may jeopardize the validity of this application or any patent issuing thereon.

Dated

25-7-2001

Ping-Cheuk Wong

Dated

2001-07-25

Witness Name/Title

李理

Dated

2001-07-25

Witness Name/Title

BP 700 700

111111111111